

Response Under 37 CFR 1.116

Expedited Procedure

Examining Group 1661

Application No. 09/880,950

Paper Dated: November 23, 2004

In Reply to USPTO Correspondence of August 25, 2004

Attorney Docket No. 4194-030270

REMARKS

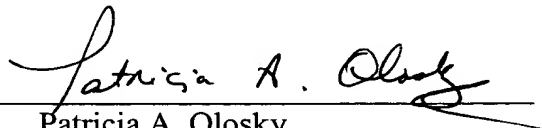
The disclosure is objected to and the claim stands rejected pursuant to 37 C.F.R. § 1.163(a) and under 35 U.S.C. § 112, first and second paragraphs. Applicant believes that the amendments made to the specification specifically address the Examiner's objections detailed in Paragraphs G and H on pages 3-4 of the Office Action. Information requested in Paragraphs K and M-O is not available as no fruit or blooms are present on the rootstocks at this time. Further, only one year old rootstocks are currently in the possession of the Applicant, thus further lenticel information is not available as lenticels are not present until the rootstocks have further matured. Additionally, the Applicant wishes to delete the color coding sheet at this time. Withdrawal of the objection and reconsideration of the rejection under 35 U.S.C. § 112, first and second paragraphs, are respectfully requested.

CONCLUSION

In light of the foregoing, allowance of the claim is respectfully requested.

Respectfully submitted,

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